

**IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF ALABAMA  
SOUTHERN DIVISION**

<b>IN RE: BLUE CROSS BLUE SHIELD</b>  <b>ANTITRUST LITIGATION</b> <b>(MDL NO.: 2406)</b>	} } } }	<b>Master File No.: 2:13-CV-20000-RDP</b>  <b>This document relates to all cases.</b>
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**SIXTH AMENDED SCHEDULING ORDER**

As a result of matters discussed at the July 22, 2019 Status Conference, and after careful consideration, the court amends its Fifth Amended Scheduling Order (Doc. # 2443) as **FOLLOWS**:

**A. Merits and Damages Reports**

1. Deadline for Defendants to produce Damages and Merits Expert Reports and Discovery:  
**October 21, 2019.**
2. Deadline to depose Defendants' Damages and Merits Experts: **November 22, 2019.**
3. Deadline for Plaintiffs to submit Damages and Merits expert rebuttal reports: **December 6, 2019.**
4. Deadline to depose Plaintiffs' damages and merits experts re rebuttal reports: **January 15, 2020.**

**B. Daubert Motions**

5. Plaintiffs' Daubert motions to exclude Defendants' class certification experts due:  
**November 14, 2019.**
6. Plaintiffs' Responses to Defendants' Daubert motions to exclude Plaintiffs' class certification experts due: **November 14, 2019.**
7. Defendants' Responses to Plaintiffs' Daubert motions to exclude Defendants' class certification experts due: **January 10, 2020.**

8. Defendants' Replies to Daubert motions to exclude Plaintiffs' class certification experts due: **January 24, 2020.**

9. Plaintiffs' Replies in support of their Daubert motions to exclude Defendants' class certification experts due: **February 11, 2020.**

**C. Class Certification**

10. Time Period to depose Defendants' class certification experts: **beginning October 14, 2019 and no later than November 6, 2019.**

11. Seal team work relating to Defendants' exhibits to their Class Certification Opposition Brief will be stayed until **October 21, 2019.**

12. Class Certification Reply briefs and Plaintiffs' class certification expert rebuttal reports SHALL be due on or before **December 6, 2019.**

13. Deadline to depose Plaintiffs' class certification experts re rebuttal reports: **January 15, 2020.**

**D. Dispositive Motions**

14. All potentially dispositive motions on issues of liability which are not critically dependent on the outcome of class certification, materials in support, and supporting expert reports under Fed. R. Civ. P. 26(a)(2) are due **on or before January 21, 2020.** The parties will meet and confer as to an appropriate briefing schedule after the filing of such a Motion or Motions, and present a schedule or competing proposals to the court **within 7 days after the filing of any potentially dispositive motion.**

**E. Discovery and Privilege Review**


15. All discovery shall be suspended, and Judge Harwood shall suspend issuance of any Reports and Recommendations based on his review of additional samples of Defendants' privileged documents (Doc. # 2394) (and the parties' responses thereto shall also be suspended) until further notice from the court.

**F. Preconference and Trial**

16. As necessary, the court will set a pretrial conference after ruling on class certification and/or dispositive motions.

The court reserves the power to modify the terms of this Order.

**DONE** and **ORDERED** this July 25, 2019.

  
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**R. DAVID PROCTOR**  
UNITED STATES DISTRICT JUDGE